

U.S. Serial No.: 10/805,769
Docket No.: 2156-528A

Examiner: R. Harlan
Art Unit: 1713

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REMARKS

Claims 25-42 are currently pending in this application. Claim 25 has been amended, claims 14-24 have been canceled, and new claim 42 has been added.

Rejections Under 35 U.S.C. 102

Claims 14-41 stand rejected under 35 U.S.C. 102(b) as allegedly being anticipated by Wandelmaier et al. (U.S. Patent No. 6,451,896).

In response, Applicants have canceled claims 14-24 and have amended claim 25 to more clearly define the invention over the prior art of record. In particular, claim 25 has been amended to specify that the photosensitive layer is solvent developable. As discussed in the specification, for example at page 2, lines 5-9, when making flexographic printing elements, the photosensitive resin is selectively exposed to actinic radiation to crosslink and cure selected portions of the photosensitive layer and the unexposed and unhardened portions of the resin are selectively removed by washing in a suitable solvent to reveal the relief image. Thus, it is necessary that the photosensitive composition be a composition that is capable of being "developed" by washing the composition in a suitable solvent.

Applicants respectfully submit that Wandelmaier does not describe or suggest a solvent-developable photosensitive layer in the manner described and claimed by Applicants and therefore Wandelmaier can not anticipate or render obvious the claimed invention. Wandelmaier is directed to an aqueous primer composition for preparing waterborne basecoats for coating of vehicles and vehicle parts in vehicle repair coatings. Wandelmaier does not recognize the feature of selectively exposing the resin composition to actinic radiation and then developing the photosensitive resin composition to remove uncured portions. As set forth in M.P.E.P. §2131, "[a] claim is anticipated only if each

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and every element as set forth in the claim is found, either expressly or inherently described in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987). In this instance, Wandelmaier does not describe each and every element of the claimed invention because Wandelmaier does not describe a solvent-developable photosensitive resin layer.

Furthermore, as set forth in claim 29, in one embodiment the copolymer is an ethylene acrylic acid copolymer. Applicants respectfully submit that Wandelmaier does not describe or suggest the use of the particular ethylene acrylic acid copolymer set forth in claim 29. The Examiner's attention is drawn to Comparative Examples 1 and 2 as well as Examples 3, 4, and 5 which demonstrate that the addition of such an ethylene acrylic acid copolymer (along with the layered silicate of the invention) provides a primer coating having much greater adhesion to the underlying substrate than a composition that does not include the layered silicate of the invention.

For all of these reasons, reconsideration and withdrawal of the rejection of claims 24-41 under 35 U.S.C. 102(b) as being anticipated by Wandelmaier is respectfully requested.

CONCLUSION

Applicant believes that the foregoing is a full and complete response to the Office Action of record. Accordingly, an early and favorable reconsideration of the rejection of the claims is requested. Applicants believe that claims 25-42 are now in condition for allowance and an indication of allowability and an early Notice of Allowance of all of the claims is respectfully requested.

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If the Examiner perceives of any reason why such allowance should not be granted he is requested to contact the undersigned at (203) 575-2648 for a telephonic interview prior to issuance of the next office action.

Respectfully submitted,

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